

## CHAPTER 10 SECTION 2.8D

# GRACE PERIOD FOR LICENSURE/CERTIFICATION OF THERAPISTS OR COUNSELORS

Issue Date: September 20, 1990

Authority: [32 CFR 199.6\(c\)\(3\)\(iv\)\(D\)](#)

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### I. BACKGROUND

Language was modified in the [32 CFR 199.6](#) in 1988 stipulating that providers in the therapist or counselor category were mandated to seek licensure/certification in any jurisdiction that provided for it, whether or not it was mandated by the state or available on an optional basis. This requirement exists even if the state exempts certain non-profit or other categories of providers (such as pastoral counselors). If a state is willing to provide licensure/certification (including for otherwise exempted categories), TRICARE requires it be obtained. When either general or specific licensure/certification is offered, we require that the therapist or counselor obtain it. Following an update in 1988, it appears this requirement may not have been clearly conveyed during the rulemaking process for the provider group encompassing certified marriage and family therapists, pastoral and mental health counselors.

### II. POLICY

TRICARE/CHAMPUS provided a grace period for those therapists or counselors who did not obtain optional licensure/certification in their jurisdiction, not realizing it was a TRICARE/CHAMPUS requirement for authorization. This grace period pertained only to the licensure/certification requirement, applied only to therapists or counselors who were already authorized as of the date of publication of the final rule in the Federal Register, (October 29, 1990), and only in those areas where the licensure/certification is optional. All other provider certification standards must be met, including eligibility or certification by the professional association of which the individual is a member. We provided this grace period in order not to discriminate against those therapists or counselors for whom the policy was not clear so we will not inadvertently prejudice anyone. The exemption by state law for pastoral counselors may have misled this group into thinking licensure was not required. The same situation may have occurred with the other therapist or counselor categories. This grace period provided therapists or counselors who are impacted by this clarification the opportunity to obtain state licensure/certification within the next several months. Any therapist or counselor who was not licensed/certified in the state in which he/she is practicing was to be terminated if licensure/certification was not obtained by August 1, 1991. This opportunity for delayed certification/licensure for the situations outlined above was limited to the therapist or counselor category only as the language in all of the other provider categories has been consistent and unmodified from the time each of the other provider categories were added. The grace period did not apply in those states where licensure was

**mandatory.**

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